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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JUDY RAE JARVIS,)
)
Defendant.)
)
)

No. CR 11-0146 SBA

**STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE
TO JANUARY 29, 2013 AND TO
EXCLUDE TIME**

The parties last appeared before the duty magistrate for a status conference on October 2, 2012. At that conference, the parties requested more time to allow the defense to review and investigate discovery related to possible additional tax charges committed by the defendant. The court granted the parties' request, excluded time, and set the next status for Tuesday, December 11, 2012. The parties have conferred and believe that the defense needs additional time to conduct its investigation. In addition, government counsel recently learned that he will be out of the district on December 11, 2012. For this reason, with the agreement of counsel for both parties and the defendant, the parties now stipulate and ask the Court to find and hold as follows:

1. This matter shall be set for a status conference before the duty magistrate on

1 January 29, 2013 at 9:30 a.m.

2 2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C.
3 § 3161, from November 26, 2012 to January 29, 2013. Failure to grant the requested
4 continuance would unreasonably deny defense counsel reasonable time necessary for effective
5 preparation, taking into account the exercise of due diligence and the need for defense counsel to
6 review discovery and conduct investigation related to potential tax fraud charges the government
7 may seek in an anticipated superseding indictment.

8 3. Given these circumstances, the Court finds that the ends of justice served by
9 excluding the period from November 26, 2012 to January 29, 2013, outweigh the best interest of
10 the public and the defendant in a speedy trial and filing of an indictment or information. 18
11 U.S.C. § 3161(h)(7)(A).

12 4. Accordingly, and with the consent of the defendant, the Court orders that the period
13 from November 26, 2012 to January 29, 2013, be excluded from Speedy Trial Act calculations
14 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

15
16 IT IS SO STIPULATED.

17
18 DATED: November 26, 2012

/s/
DEBORAH G. LEVINE
Counsel for Judy Rae Jarvis

19
20
21 DATED: November 26, 2012

/s/
BRIAN C. LEWIS
Assistant United States Attorney

22
23 IT IS SO ORDERED.

24
25 DATED: 11/26/12


DONNA M. RYU
United States Magistrate Judge